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By E-mail and U.S. First Class Mail

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Re: *CoStar Realty Information, Inc. and CoStar Group, Inc. v. Mark Field d/b/a Alliance Valuation Group, et al.*, D. Md., Case No. AW-08-00663

Dear Wayne:

This letter concerns our continued discussions regarding the denied motion to seal and your client's intent to seek its attorneys' fees in connection with the denial of CoStar's motion to compel by the magistrate judge.

With respect to the motion to seal, as we noted in our earlier correspondence, we do not believe that it is proper to withdraw the information that is the subject of the motion. Moreover, we have given additional consideration to this issue, and have decided not to re-file the motion. CoStar filed a motion to seal, which the Court denied. We do not believe that further action by CoStar is necessary.

Regarding Pathfinder's intent to seek attorneys' fees, we are in receipt of the redacted invoice. As an initial matter, it appears that you have included charges for work that is not related to the motion to compel, including but not limited to Pathfinder's motion to strike, which was denied. We do not believe that there are

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any grounds for seeking fees for work on this denied motion, or for any work that is not related to the motion to compel. Please provide the correct information. Further, notwithstanding the insufficiency of the information, CoStar does not believe that it is ultimately obligated to pay any fees to Pathfinder with respect to the motion to compel, as its motion was substantially justified under Fed. R. Civ. P. 37(a)(5)(B).

Sincerely,



Sanya Sarich Kerksiek

cc: William J. Sauers